

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION**

THE SOUTH CAROLINA STATE
CONFERENCE OF THE NAACP,

and

TAIWAN SCOTT, on behalf of himself and all
other similarly situated persons,

Plaintiffs,

v.

THOMAS C. ALEXANDER, in his official
capacity as President of the Senate; LUKE A.
RANKIN, in his official capacity as Chairman
of the Senate Judiciary Committee; JAMES H.
LUCAS, in his official capacity as Speaker of
the House of Representatives; CHRIS
MURPHY, in his official capacity as Chairman
of the House of Representatives Judiciary
Committee; WALLACE H. JORDAN, in his
official capacity as Chairman of the House of
Representatives Elections Law Subcommittee;
HOWARD KNAPP, in his official capacity as
interim Executive Director of the South
Carolina State Election Commission; JOHN
WELLS, Chair, JOANNE DAY,
CLIFFORD J. EDLER, LINDA MCCALL,
and SCOTT MOSELEY, in their official
capacities as members of the South Carolina
Election Commission,

Defendants.

C/A No. 3:21-cv-03302-JMC-TJH-RMG

THREE JUDGE PANEL

**HOUSE DEFENDANTS' MOTION TO
IMMEDIATELY STAY COURT
ORDER ON PLAINTIFFS' MOTION
TO COMPEL (ECF NO. 153)
PURSUANT TO LOCAL CIVIL RULE
16.00**

Defendants James H. Lucas (in his official capacity as Speaker of the South Carolina House of Representatives), Chris Murphy (in his official capacity as Chairman of the South Carolina House of Representatives Judiciary Committee), and Wallace H. Jordan (in his official capacity as Chairman of the South Carolina House of Representatives Redistricting Ad Hoc Committee)

(collectively, the “**House Defendants**”), by and through their undersigned counsel, hereby move for an immediate stay of the Court’s Order (ECF No. 153) on Plaintiff’s Motion to Compel pursuant to Local Civ. Rule 16.00. The House Defendants also request that the Court immediately stay any discovery that touches on the issue of legislative privilege.

House Defendants filed a Motion to Dismiss on February 14, 2022 with a supporting memorandum (ECF No. 158), which is fully incorporated by reference herein. As argued in that Motion, Plaintiffs lack standing to pursue their claims with respect to the Challenged House Districts—and House Defendants respectfully submit that the Court must rule on their Motion(s) to Dismiss before requiring any production of the discovery materials that the Court recently ordered to be produced over the House Defendants claim of legislative privilege.

Because the Court’s Order on Plaintiff’s Motion to Compel (ECF No. 153) appears to require a large scale production of documents by 5:00 PM on February 14, 2022, House Defendants request (for the reasons comprehensively outlined in their Motion to Dismiss) an immediate stay of any discovery order (and accompanying production deadline) pending the Court’s ruling on the on the Motion to Dismiss. (ECF No. 158).

House Defendants remain available for a phone conference with the Court on this Motion at any time prior to 5:00 PM should the Court deem such a conference necessary before ruling on this Motion.

For the reasons outlined above and in their Motion to Dismiss (ECF No. 158), the House Defendants respectfully request that the Court grant this Motion for an Immediate Stay of the Court’s February 10, 2022 Order on Plaintiff’s Motion to Compel. (ECF No. 153).

[signature page follows]

Respectfully submitted,

s/ Michael A. Parente

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February 14, 2022
Columbia, South Carolina

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